



PATENT  
Customer No. 22,852  
Attorney Docket No. 08442.0002-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph C. CAUTHEN

Application No.: 10/085,040

Filed: March 1, 2002

For: Intervertebral Disc Annulus Stent

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)  
) Group Art Unit: 3738

)  
) Examiner: not yet assigned  
)  
)  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RECEIVED

JUL 01 2003

TECHNOLOGY CENTER R3700

Sir:

**PETITION TO MAKE SPECIAL**  
**UNDER M.P.E.P. § 708.02 (IV)**

Applicants hereby petition the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.102(c) and M.P.E.P. § 708.02 (IV) to make this application special and receive accelerated examination. In accordance with M.P.E.P. § 708.02 (IV), no fee is due. If any additional fee is required in connection with the filing of this Petition, please charge that fee to our Deposit Account No. 06-0916.

The inventor, Joseph Cauthen III, was born on June 22, 1936, and is therefore more than 65 years of age. A copy of Dr. Cauthen's birth certificate is attached hereto.

Applicant respectfully submits that in view of the foregoing, the requirements of M.P.E.P. § 708.02 (IV) have been met. Accordingly, Applicants request that this Petition to Make Special be granted and that the claims of this application be examined on an expedited basis.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Eric P. Raciti  
Reg. No. 41,475

Date: June 26, 2002

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